IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10730 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CHHAGANBHAI NAROTTAMDAS PATEL

Versus

SPL RECOVERY OFFICER

Appearance:

MR MUKESH A PATEL for Petitioners No. 1-2

MS DS PANDIT, AGP for Respondents No. 1 and 2

MR SN THAKKAR for Respondent No. 3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 27/12/2001

ORAL JUDGEMENT

1. Learned advocate Shri S.N. Thakkar for respondent no.3 states that at their request, the District Registrar has cancelled the recovery certificate

dated 24th April, 1996 and, therefore, no proceedings shall be initiated by respondent no.3 on the basis of the said certificate. In the circumstances, the petition does not survive and is disposed of as having become infructuous.

2. The amount of Rs.65,000/- which the petitioner has deposited pursuant to the direction in the order dated 26th June, 2001 and has been invested with a nationalised bank shall be refunded to the petitioner. Rule discharged.

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